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August 30, 2006

Hon. Michael Chertoff
Secretary
Department of Homeland Security
Washington, DC 20528

Dear Secretary Chertoff:

I have seen newspaper reports that your agency is preparing to announce a six-year multi-billion dollar contracting project to achieve genuine border security by a combination of physical barriers, sensors, cameras, mobile surveillance, and manpower. This is an encouraging development and I look forward to seeing the details of the project. On the other hand, it is not good news that the American people will have to wait past the tenth anniversary of the 9-11 terrorist attacks before they have secure borders.

I suggest that your agency look to an interim solution while waiting for this new six-year project to be implemented and for the Border Patrol to reach its announced staffing target of 18,000 in 2009.

Fortunately, there is a program that has already demonstrated solid results in the Del Rio Sector of Texas-- "Operation Streamline." This new program requires that all illegal aliens apprehended by the Border Patrol -- Mexican nationals included -- be turned over to federal marshals for prosecution and certain jail time instead of merely being sent back across the border. If apprehended a second time, the individual faces a felony reentry charge and two years in prison. This program is getting amazing results.

"Operation Streamline" was launched in December of 2005 on a test basis for a five-mile segment of the Rio Grande at Eagle Pass, and in June of this year it was expanded to the full 210 miles of border comprising the Del Rio Sector. It has achieved success with the cooperation of the U.S. Attorney, the U.S. Marshal's Office, and federal judges. Once convicted in federal court, aliens are incarcerated in any available facility and then deported after completing their jail term.

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The prospect of doing certain jail time is having a real deterrent effect on border crossings. Fiscal year 2006 apprehensions to date are down 29%, and the numbers for the first full month of implementation, July of 2006 compared to July of 2005, showed a 67% decline. August apprehensions appear to be headed for a 75% decline from 2005.

There are other indicators of the value of "Operation Streamline." The morale of Border Patrol agents is up dramatically as they see a real deterrent at work and drug seizures are up significantly as Border Patrol agents are able to devote more time to drug interdiction. The Sheriff of Val Verde County, D'Wayne Jernigan, says the program "has had a tremendous impact on local crime rates" and that his officers for the first time in many years are free to do their real jobs in protecting the community. He recommends the program be expanded to the entire Rio Grande Valley.

Obviously, unless this program is implemented along the entire border, many would-be border jumpers will simply cross the border upriver or downriver from Del Rio to avoid the jail time. "Operation Streamline" needs to be implemented on the entire 1500 miles of our southern border and then our northern border as well. Perhaps it should be renamed, "Operation Timeout" to emphasize that jail time is a near-certainty for illegal border crossers.

If the Del Rio program had been fully implemented on all of our borders in 2005, a 75% reduction would have meant only 300,000 apprehensions instead of 1.2 million we actually experienced.

It goes without saying that we need border security that provides 100% deterrence, not 75%, so "Operation Streamline" is not the complete answer to unauthorized border crossings. Nonetheless, it is a giant step forward. I think that the U. S. Attorneys and other federal partners would cooperate in this effort if you and the President made it a priority.

For many reasons, six years is too long to wait for secure borders. I urge you to move ahead with "Operation Streamline" and other reforms that can create genuine deterrence on our borders. If the expansion of "Operation Streamline" is not planned for fiscal year 2007, I would appreciate an explanation.

Sincerely,


Tom Tancredo
Member of Congress